

Jun. 10, 2005 1:08PM Cermak and Kenealy LLP

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JUN 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Livshits et al.

Art Unit: 1652

Application No.: 09/466,935

Examiner: David J. Steadman

Filing Date: December 20, 1999

Attorney Ref. No.: US-1260

For: NOVEL GENE AND METHOD FOR
PRODUCING L-AMINO ACIDS

VIA FACSIMILE TO 703.872.9306

REQUEST FOR REFUND OF ERRONEOUSLY CHARGED FEE

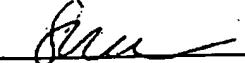
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a timely-filed request for a refund for fees erroneously charged to our deposit account 50-3077 under 37 C.F.R. §1.26 in the above-captioned application. The fee of \$900 was charged on March 21, 2005 to our deposit account 50-3077 under fee code 1253 (third month extension of time). The extension of time filed on March 14, 2005 was, in fact, an extension for response within the second month (Fee Code 1252). The fee that was due, taking into consideration a previously paid one-month extension of time, should have been \$330. Therefore, a refund of the \$570 is respectfully requested to be credited to our deposit account.

Respectfully submitted,

By:


Shelly Guest Cermak
Registration No. 39,571

USPTO Customer No. 38108

Cermak & Kenealy, LLP
515 E. Braddock Road, Suite B
Alexandria, VA 22314
703.778.6608
Date: June 10, 2005

MAR 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Livshits et al.

Application No.: 09/466,935

Filing Date: December 20, 1999

For: NOVEL GENE AND METHOD FOR
PRODUCING AMINO ACIDS

Art Unit: 1652

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Attorney Ref. No.: US-1260

PETITION FOR EXTENSION OF TIME

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions for an extension of time under 37 C.F.R. § 1.136(a) to extend the period for response for filing the Response to the Official Action mailed October 15, 2004, one month(s) to March 15, 2005.

The period for response has previously been extended to February 15, 2005.

Please charge our deposit account 50-3077 the requisite fees for this petition. Also, the undersigned hereby authorizes the Commissioner to charge any deficiency, or credit any overpayment, necessary to maintain pendency of this application to the same deposit account.

Respectfully submitted,

By: Shelly Guest Cermak
Shelly Guest Cermak
Registration No. 39,571

U.S. P.T.O. Customer No. 38108
Ajinomoto USA, Inc.
1120 Connecticut Ave., Ste. 1010
Washington D.C. 20036
202.457.0284

Date: March 14, 2005

07/21/2005 SDIRETAL 00000068 503077 09466935
01 FC:1252 330.00 DA

07/21/2005 SDIRETAL 00000068 503077 09466935
01 FC:1252 330.00 DA
32 FC:3504

Adjustment Date: 07/21/2005 SDIRETAL
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01 FC:1253 900.00 CR